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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/192,547	11/15/1998	TIMOTHY M. ANDERSON	10981774-1	9906

7590 .09/24/2003

HEWLETT PACKARD COMPANY
INTELLECTUAL PROPERTY ADMINISTRATION
3404 E HARMONY ROAD
P.O. BOX 272400
FORT COLLINS, CO 80528-9599

EXAMINER

PHAM, BRENDA H

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/192,547

Applicant(s)

ANDERSON ET AL.

Examiner

Brenda Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/7/2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-20 is/are allowed.
- 6) ☐ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) 2-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/7/2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The petition for withdrawal of abandonment filed 7/7/2003 is granted.
2. This correspondence is in response to the applicant's response filed 7/7/2003.

Claims 1-20 are currently pending.

3. Applicant's arguments filed 7/7/2003 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C 102(b) as being anticipated by Joline et al (US 6,005,696), hereinafter refer to as Joline.

-Regarding claim 1, Joline discloses a method for testing a multi-device enclosure that contain multiple devices, the method comprising: controlling a number of bypass circuit to bypass a number of external communications medium connectors to isolate the multi-device enclosure from an external communications medium; testing the multi-device enclosure; and when the multi-device enclosure passes the testing, controlling a number of bypass circuit to connect the number of external communications medium connectors to the external communication medium (see figure 3, column 7, 8, 10, lines 60-67, 1-21 and 5-11, respectively).

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Joline further teaches "When the test is completed, the test control software sends out instructions to knock down the connections made in steps 504 and 505 (step 507)." (see column 11, lines 1-3).

Allowable Subject Matter

6. Claims 2-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 10-20 are allowed.

8. The following is a statement of reasons for the indication of allowable subject matter: the prior art made of record does not teach wherein testing the multi-device enclosure further comprises controlling a number of bypass circuits to isolate the devices from an internal communications medium; testing the internal communications medium; when the internal communications medium passes the testing for each device controlling a bypass circuit to connect the device to the internal communications medium, testing the device, and when the device fails testing, controlling a bypass circuit to disconnect the device from the internal communications medium, and returning an indication that the testing of the multi-device enclosure has succeeded; and when the internal communications medium fails the testing returning an indication that the testing of the multi-device enclosure has failed.

Response to Arguments

9. Applicant's arguments filed 7/7/2003 have been fully considered but they are not persuasive. On page 3, paragraph 3, the Applicants argues that "Joline is concerned with testing large communications installations, such as routing offices interconnected by trunk circuits of a telephone system. While the present invention is directed to isolating a multi-device enclosure from an external communications medium to test lines and trunk circuit also connected to the office". The Examiner disagrees with the Applicant's arguments. The Examiner asserts that claim 1 is anticipated by Joline et al because Joline discloses a method for testing a switching device 306 which equivalent to "the multi-device enclosure" of the present application. Joline teaches that the test control 304 controlling a number of bypass circuit to bypass the external communication medium (such as connectors, ports, links and trunks) that are connected to the switching device 306 ("multi-device enclosure") to isolate the switching device 306 from external communications medium (301 of figure 3) and when the switching device 306 (multi-device enclosure) passes the testing, the test control software sends out instructions to knock down the testing connection and allows the switching device to operate as normal.

The Examiner believes the testing of the switching device 306 is the testing of "the multi-device enclosure" of the present invention's application and that claim 1 of the present application is anticipated by Joline. Therefore the rejection of claim 1 stands.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Fax to:

(703) 872-9314, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington VA., Sixth Floor (Receptionist)

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (703) 308-0148. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Brenda Pham
September 18, 2003

Brenda Pham
Brenda Pham
09/18/2003